



**International Covenant on
Civil and Political Rights**

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Human Rights Committee

**Concluding observations on the second periodic report of
Albania**

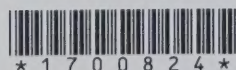
Addendum

**Information received from Albania on follow-up to the
concluding observations***

[Date received: 28 December 2016]

* The present document is being issued without formal editing.

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1. The Prosecution Office of Tirana has registered in 21.01.2011 the criminal proceeding no. 285 for the criminal acts of "Murder under other qualifying circumstances in complicity" and "Abuse of office", prescribed in articles 79 para. "dh", "ë" with regard to 25 and article 248 of the Criminal Code, in charge of Ndrea Prendi, Alfred Ahmetcenaj, Agim Llupo etc. On 18.04.2012 it has been decided the separation from criminal proceeding no. 285 of materials regarding the defendants Ndrea Prendi, Agim Llupo dhe Margarit Kume.
2. On 20.04.2012 the investigations were finished and it was decided to deliver the case to the court.
3. After court/trial deliberations the Prosecution requested:
 - I. Declaring the defendant Ndrea Prendi guilty for the criminal act of "Murder under other qualifying circumstances, in a dangerous way regarding the life of many persons" with direct consequence the death of Faik Myrtaj, prescribed by article 79 para. "ë" in conjunction with article 50 para. "dh" of Criminal Code and his sentence with 23 years in prison.
 - II. Declaring the defendant Agim Llupo guilty for the criminal act of "Murder under other qualifying circumstances, against two or more people" with direct consequence the death of the deceased Hekuran Deda, the deceased Ziver Veizi and the wounding of citizens Fatos Mahmutaj, Sokrat Gode, Erald Bisha prescribed by article 79 para. "dh" of Criminal Code in conjunction with article 25 para. "dh", "I", of the Criminal Code his and his sentence with 25 years in prison.
4. The District Court of Tirana decided in its decision no.100, date 7.2.2013 to declare the defendants not guilty. The Prosecution Office of Tirana appealed the decision to the Court of Appeal in Tirana. The latter decided to change the decision no.100, date 7.2.2013 with the decision no. 793, date 18.09.2013 as indicated:
 - Declaring the defendant Ndrea Prendi guilty for committing the criminal act of "Manslaughter/involuntary murder" as prescribed by article 85 of the Criminal Code and his sentence with 1 year in prison.
 - Declaring the defendant Agim Llupo guilty for committing the criminal act of "Manslaughter" as prescribed by article 85 of Criminal Code and his sentence with 3 years in prison.
5. Against this decision the Prosecution Office exercised recourse to the Supreme Court, which was rejected with decision nr.00-2016-690, date 25.04.2016 of the Advisory Chamber, to be passed for deliberation.
6. Currently the separated part from criminal proceeding no.285 of 2011 is under investigation with the aim of identifying the responsible persons for the death of Aleksander Nika, the wounding of Artes Dybeli, Ilia Qesko, Ilia Papa and holding them legally accountable.
7. With regard to investigations about arbitrary actions committed by the police, The Prosecution Office of Tirana District has registered the criminal proceeding, no. 286/1 in 15.02.2011, upon the notification of certain citizens participating in the rally of 21.01.2011. A number of investigative actions has been conducted for this criminal proceeding, with the aim of identifying and holding legally accountable the responsible persons. The investigations are still ongoing.

Information provided by the Ministry of the Interior concerning paragraph 13 of the decisions of the Human Rights Committee adopted at its 115th session in October 2015

8. Paragraph 13 B1. With regard to the request on trainings about human rights conducted by UNCHR, for the period 2013-2016, there has not been any training for the border and migration structures.

9. In 2013, UNCHR has conducted six trainings with 111 participants "On the selection system of alien citizens in borders and territory/land" as the table below indicates:

<i>No.</i>	<i>Training subject</i>	<i>No. of participants</i>
1.	On selection system of irregular alien citizens in border or territory	19
2.	On selection system of irregular alien citizens in border or territory	21
3.	On selection system of irregular alien citizens in border or territory	17
4.	On selection system of irregular alien citizens in border or territory	17
5.	On selection system of irregular alien citizens in border or territory	19
6.	On selection system of irregular alien citizens in border or territory	18

10. The General Directorate of Border and Migration has conducted the trainings given below:

Year 2015, 2 trainings with 60 employees

- i. Work-shop on improving the identification of unaccompanied minor citizens to PKK (40 employees)
- ii. Law "On aliens": procedures, entry-stay, timeframes/ deadlines, administrative measures, identification of irregular alien citizens, accompany to the Closed/ Isolated Centre (Detention Centre) in the Republic of Albania — 20 employees

Year 2016, 3 trainings, 52 employees

- i. Joint operations and interviewing techniques — 22 employees
- ii. Joint operations and interviewing techniques — 10 employees
- iii. Introduction to national and international legislation on migration, tasks organizations in migration and reacceptance sector, respect of immigrants' rights, collaboration with other institutions with regard to this — 20 employees

11. These trainings have increased the professionalism of Police of Border and Migration employees/ staff with regard to international standards and work practice from the responsible structures.



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12. Border & Migration Police's activity is based on Law 76/ 2016 "On Aliens", Law 121/2014 "On Asylum" and other relevant legal or normative acts.

13. The selection procedure is provided by the Directive of the Minister of Interior no.293, date 04.06.2015 "On procedures of irregular alien citizens' treatment in the territory of Republic of Albania". Citizens who apply for international protection are not held in the Closed Centre for Aliens (CCA), instead they are treated from the National Centre of Asylum-seekers.

B1. With regard to irregular alien citizens treated by CCA, Karec:

<i>Year</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>
2013	331	294	37
2014	472	412	60
2015	299	278	21
2016	96	66	30

14. These citizens have not applied for international protection and therefore are categorized (pertain to the category of) as irregular immigrants.

B2. Alien citizens who have applied for international protection, selected from the Police of Border & Migration and accommodated in the National Centre of Asylum-seekers in Tirana.

<i>Year</i>	<i>Total</i>
2013	158
2014	298
2015	135
2016	183